IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:

KARL REINKE,

     Debtor,

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No. 09-19609

OBJECTION TO ENTRY OF ORDER .
GRANTING RELIEF FROM STAY
(Wells Fargo Bank)

KARL REINKE, the debtor in this Chapter 11 case ("Debtor"), applies to the

Court as follows:

Wells Fargo Bank filed a motion for relief from stay on property of the estate

located at 923 North 76th St Seattle WA 98103. Wells Fargo Bank is listed as a creditor

in these proceedings with a lien on said property.

Wells Fargo Bank filed a motion for relief from the stay for property located at

20001 Damson Road, Lynnwood,WA. Wells Fargo Bank was **not** listed in the debtor's

schedules as having a lien on said property. Said property was listed as being secured to

First Franklin Financial Bank.

The debtor negotiated an agreement for adequate protection with the attorney for

Wells Fargo Bank[1], and the Court entered an order on February 3, 2010 for adequate

protection, and the motion of Wells Fargo Bank was stricken.

Counsel's office then took the matter "off the calendar", not realizing that a second

Wells Fargo motion was also pending since, as stated above, the debtor's schedules did

not reflect that the mortgage debt to First Franklin Financial was now apparently held by

Wells Fargo Bank also. It is not clear that the debtor had knowledge or reason to believe

that Wells Fargo held the mortgage on 20001 Damson Road as well as on 923 N. 76th St.,

either, or the debtor would have listed Wells Fargo Bank as such in the Schedules.

To complicate matters, the debtor has hired Special Counsel, Richard Jones, who

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[1] On the property located at 923 North 76th St., Seattle

1   has found a discrepancy in the mortgage loan and assignment documents on the debtor's

2   real properties, and is reviewing all of these mortgage claim(s) on behalf of the estate to

3   advise the debtor as to the validity of the claims. A Superior Court proceedings raising

4   these issues has been removed to this court under 28 USC §1452, and Mr. Jones has been

5   hired as Special Counsel to pursue those claims, and the other claims arising thereunder

6   on the debtor's other real properties.

7   Mr. Jones put in a request for special notice in these proceedings on February 1,

8   2010[2]. That was after the current motion was filed by Wells Fargo Bank, and therefore

9   Mr. Jones was not aware of the motion nor the time to file a reply to the motion.

10   The debtor may or may not have an issue with Wells Fargo Bank on the instant

11   property at 20001 Damson Road[3], but the debtor would like a reasonable opportunity to

12   allow Mr. Jones to do a brief review of the motion and the Note, Deed of Trust and

13   assignment documents. The matter is calendared to be heard on February 12, 2010, and

14   even though no reply was filed because of the two "mix-ups" set forth above, there is no

15   prejudice to the Wells Fargo Bank that the court not enter the Received Unsigned Order

16   granting relief from the stay until the time of the hearing, and to allow Mr. Jones up until

17   Thursday, February 11, 2010, to file any response, if any

18   DATED this 15th day of October, 2009.

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20   /s/ Larry B. Feinstein

21   Larry B. Feinstein WSBA # 6074
                            Attorney for Debtor

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26   [2]. General bankruptcy attorney for the debtor, Larry Feinstein, filed this case on
  behalf of the debtor, but all disputes and claims of the mortgage companies were to be

27   deferred to Special Counsel, who would be dealing with these issues.

28   [3]As the debtor has already entered into an Agreement with Wells Fargo on the debtor's home.